

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

KEVIN STERK and JIAH CHUNG, )  
individually, and on behalf of a class of )  
similarly situated individuals, )

Plaintiffs, )

v. )

REDBOX AUTOMATED RETAIL, LLC, )  
a Delaware limited liability company, )  
d/b/a Redbox, )

Defendant, )  
\_\_\_\_\_ )

Case No. 11-cv-01729

The Honorable Matthew F. Kennelly

**DEFENDANT REDBOX AUTOMATED RETAIL, LLC'S  
LOCAL RULE 24.1 NOTICE OF CLAIM OF UNCONSTITUTIONALITY**

Defendant Redbox Automated Retail, LLC (“Redbox”), by its undersigned counsel, and pursuant to this Court’s Local Rule 24.1, hereby provides notice that it claims the Video Privacy Protection Act, 18 U.S.C. § 2710 (“VPPA”) violates the United States Constitution as set forth in further detail in Redbox’s Answer and Additional Defenses to Plaintiffs’ Amended Consolidated Class Action Complaint. This notice is provided so that the Court may “certify such fact to the Attorney General” of the United States as required by 28 U.S.C. § 2403.

Dated: November 3, 2011

Respectfully submitted,

/s/ Anthony T. Eliseuson

One of the attorneys for Defendant Redbox  
Automated Retail, LLC

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**CERTIFICATE OF SERVICE**

I, Anthony T. Eliseuson, an attorney, hereby certify that on November 3, 2011, I electronically filed the preceding with the Clerk of Court using the CM/ECF system, which will send notification of such filing(s) to the following:

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